

MEETING 9 February 13

At a Regular Meeting of the Madison County Board of Supervisors on
February 13, 2008 at 3:00 p.m. in the Madison County Administrative Center
Auditorium:

PRESENT: Eddie Dean, Chairman
James L. Arrington, Vice-Chairman
William L. Crigler, Member
Bob Miller, Member
Clark Powers, Member
V. R. Shackelford, III, County Attorney.
Lisa R. Kelley, County Administrator
Jacqueline S. Frye, Secretary

Chairman, Eddie Dean called the meeting to order and announced that all members are present.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION

Roy Tate, Assistant Resident Engineer, was present and that Donald Gore will be absent today due to not feeling well; he advised that a van has been reserved for February 28, 2008 to take the Madison County Board of Supervisors on a tour in Madison County at 11:00 a.m.

Chairman, Eddie Dean stated that one (1) Board member will be unable to attend on that date and asked if the tour could be rescheduled for March 5, 2008 at 1:00 p.m. in the afternoon.

Roy Tate stated that yesterday's ice storm was dealt with as quickly as possible; also advised the supervisor of location and design was sent to review Route 614 – it was determined in order to implement a full plan project, significant monies will be needed (i.e. \$6 to \$8 million) to build the road to current federal guidelines – therefore, he asked about Route 706 (at the sawmill) and if 1/10th of a mile was completed this could probably tie into Route 614 and only impact the two (2) property owners in the area with little increase in cost – if the Madison County Board of Supervisors concurs with the aforementioned plan, representatives from the Virginia Department of Transportation will be willing to change the scope of the project and move forward on a design; brush has also been removed; looking at pipeline on Route 15 – some of the pipes are failing and a contractor has been contacted and they are awaiting on environmental clearances to begin

the process (estimates already received); a representative spoke with the Surveyor regarding Route 642 and two-foot (2') contour elevations are required on all future projects – hoping to everything in place within the coming week and will hope to have this project advertised in November 2008; clearing completed on Route 680 for the time being – will wait to do some grading when the weather is better – still have an issue with the one (1) property owner who is raising issues about the right-of-way; will be entertaining a meeting with the property owner in the near future to attain a resolution after completion of survey and iron pins have been installed – he advised that any Madison County Board of Supervisors members are free to attend the meeting when it is scheduled.

Bob Miller asked about the history of Route 680 and its placement/progress on the Six Year Road Improvement Plan in the past – he asked if this information could be provided to him, if at all possible.

Roy Tate advised that Route 680 has been on the plan for at least the past ten (10) years; however, he stated he would provide a brief outline shortly.

Roy Tate also advised that Wayne Sutphin, Superintendent for the Madison Office has stated in his new assignment; he invited the Madison County Board of Supervisors to feel free to contact Mr. Sutphin with any questions/concerns.

Chairman, Eddie Dean welcomed Wayne Sutphin in his new assignment in Madison County.

IN RE: PAYROLL & CLAIMS

Chairman, Eddie Dean asked if there were any concerns about the Payroll & Claims Report as presented.

Teresa Miller, Finance Director, stated there were two (2) large payments made this month on the Courthouse Project and Hoover Ridge.

William L. Crigler asked about the vehicle line item for the County Administrator (i.e. fuel).

Teresa Miller, Finance Director, stated she feels the fuel has been taken from the Facilities & Maintenance fuel line item – should a shortage occur, funding can be allocated from the County Administrator fuel line item.

After discussion, on motion of James L. Arrington, seconded by Clark

Powers, the warrants issued in satisfaction of payroll for January 2008 (Checks #30110257 through #30110265 and electronic transfer #7 are hereby approved, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

On motion of James L. Arrington, seconded by Clark Powers, the warrants issued in satisfaction of claims against the County for January 2008 (Checks 10126860 through #10127135) are hereby approved, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

IN RE: SUPPLEMENTAL APPROPRIATIONS FOR DECEMBER 2007

Chairman, Eddie Dean stated the following supplemental appropriations for January 2008 will need to be approved by the Board.

- | | | | |
|----|----------------------------------|---|-------------|
| 1. | Park & Recreation
#5690-71100 | Funds deposited for Youth Sports | \$ 2,770.00 |
| 2. | Park & Recreation | Funds Deposited for Health Fitness | \$ 3,237.67 |
| 3. | Sheriff
#5230-31200 | Rebates received from Alltel | \$ 150.00 |
| 4. | Extension | Books & Subscriptions
Literature costs for Farmer's Market | \$ 1,000.00 |

Recommendations of County Administrator:

- | | | | |
|----|--------------|---|-------------|
| 1. | School Board | Reimbursement for Title III ESL Program | \$ 1,000.00 |
|----|--------------|---|-------------|

Total of all Supplements: \$ 8,157.67

After discussion, on motion of James L. Arrington, seconded by William L. Crigler, the Board approved the supplemental appropriations in the amount of \$8,157.67, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

James L. Arrington asked about the carryover funds for the Madison County Schools for the past year, to which Teresa Miller, Finance Director, stated that a final draft has not been received yet; however, this draft should be in her office within the coming week and she will have more concrete figures at that time.

IN RE: BUDGET REQUESTS

Chairman, Eddie Dean asked if many budget requests have been received, to which Teresa Miller, Finance Director, advised she has only received three (3) requests – the deadline is Monday, January 14, 2008.

William L. Crigler stated a meeting was held last evening for the Madison Volunteer Rescue Squad – the request should be in tomorrow.

Teresa Miller, Finance Director, advised that meetings will be scheduled in February 2008 to discuss the requests.

IN RE: MADISON COUNTY SCHOOLS

Chairman, Eddie Dean stated that all Board members should have a copy of the School's adjusted budget and the Capital Improvement Plan (CIP); he stated that a representative from the Madison School Board might be present during the evening session at 7:30 p.m.

IN RE: MADISON FACILITIES & MAINTENANCE:

Ross, Shifflett, Director of Facilities & Maintenance, was present and presented a monthly report to the Board; he advised that Jeff Tucker replaced Jesse Yowell as Chairman of the Park & Recreation Authority; he also stated Page Kelliher will continue as the Vice-Chairman of the organization; also advised that storm water training will take place the last Wednesday in March with representatives from Olver – also had a few DEQ inspections (i.e. related to storm water) which noted changes in

calibration; also all leachate permits with Hopewell Treatment Plan are up-to-date and very little change from last year's procedures.

IN RE: MADISON CHAMBER OF COMMERCE

Tracey Williams, Tourism Coordinator, provided the following report: two (2) new members joined the Chamber this month; ready references have been updated and newsletter went out in January; attended, typed and distributed minutes for the GMMSP meeting; Business Expo date for this year is May 15th – invitations were mailed the end of January and there are eight (8) businesses listed thus far; Chamber has a business trying to host a mixer for first quarter; Regional Commission is hoping to have a “Living Towns” workshop in Madison and the Chamber will host the meeting for that within the coming week or so; (45) visitors in January and 5776 hits to website; Cooperative Living's next issue will feature “Down Home in Madison.” – working on spring functions (i.e. Spring Fling in Graves) for the wine tent; already working on getting applications for the Taste of the Mountains Festival – already received about 100 applications thus far and in the process of getting entertainment contracted.

IN RE: MADISON E-911 CENTER

Robert Finks, E-911 Coordinator, provided the following report for the month of January 2008: (524) 911 calls; (342) were from home phones; (182) from cell phone; (26) hang-ups; (8) misdials; (2) open lines; and (14) alarm calls – there was one (1) warning given to a resident but no fines have been initiated; also there were a few times during the month where additional assistance was called in due to the weather conditions (i.e. wind storm).

William L. Crigler asked of there were car accidents due to the recent high winds, to which Robert Finks advised there were several fires, downed power lines and trees.

IN RE: EMERGENCY MANAGEMENT SERVICES

Carl Pumphrey, EMS Coordinator, provided a report of all activities for the month of January 2008; he also advised the emergency advisory committee meeting is scheduled for Friday, February 15, 2008 at 1:00 p.m.

IN RE: MADISON EMERGENCY MEDICAL SERVICES

Lewis Jenkins, EMS Coordinator, provided the following report for January 2008:

1. Total Calls toned: 87
2. Total calls handled: 82
3. Total calls no response (5) [(5) Greene for mutual aide assistance were not answered due to no available staff)
4. Average in-County response time to the scene: (9) minutes
5. Night coverage: Eleven hours of night coverage on (17) nights
6. Total calls handled: 15

Lewis Jenkins advised the full-time position is still and vacant – has another interview scheduled within the coming week with a respective candidate; training was attended by several emergency personnel; Dr. Brady will be coming to test all medical personnel on their skills during the upcoming month.

James L. Arrington asked if EMS vacancies are advertised in the Culpeper and Charlottesville newspapers, to which Lewis Jenkins advised he did not this time around – notice was only listed in the Madison Eagle (as required) and also with multiple listing services that do not charge a fee (i.e. webpage for EMS Council, ALS through UVA, etc.).

In closing, Lewis Jenkins advised it is very difficult for Madison County to compete with the larger surrounding agencies.

IN RE: MADISON EXTENSION SERVICE

Brad Jarvis, Extension Agent, was present and stated the Piedmont Environmental Council submitted a letter requesting funds to help assist with forming a Northern Piedmont Buy Fresh/Buy Local Chapter with a direct market to advertise produce, meat products and specialty products (copy provided to each Board member); he advised that Madison County is not a member of this campaign to buy local products ; however, interest was initiated by a call being placed in hopes of starting a new chapter and Madison County has been included in the holiday edition for 2007. Brad Jarvis

explained the program and also advised that a request has been made for \$1,000.00 and will include direct mail pieces (summer & winter edition) being mailed to each box holder living within the County; he also stated this mailing will also allow local citizens to market their goods.

In closing, Brad Jarvis advised if the Board is interested, he would be willing to contribute the initial \$1,000.00 annual fee to endorse the product and offered to run the future funding amount out of his departmental budget (Extension Office) and hopes the current budget can be amended to accommodate the initial fee for this budget cycle.

William L. Crigler asked if the \$1,000.00 covers both yearly mailings, to which Brad Jarvis advised that it does.

Brad Jarvis also stated there is a \$20,000.00 fee to start the Chapter and further explained that additional monies are raised as a result of the ads that are sold to support the program. He stated there is no cost to the farmer(s) to be listed in the advertisement.

After discussion, on motion of William L. Crigler, seconded by James L. Arrington, the Board voted to authorize a supplemental appropriation to the Madison Extension Office in the amount of \$1,000.00 to cover the current cost of participation in the aforementioned program, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

Brad Jarvis also volunteered to correspond with the Piedmont Environmental Counsel regarding the Madison County Board of Supervisors' action at today's meeting.

IN RE: HASTINGS CASE

V. R. Shackelford, III, County Attorney, provided an update on the Hastings case; he also stated that a discussion was held with the applicants and a tentative idea was brought forth to include the following:

1. The two (2) buildings would be moved off the road and back into the gap between the antique shop and the warehouse;
2. There will be four (4) parking spaces against the side of the antique shop (perpendicular);
3. There will be eleven (11) additional spaces that would be accessed off Route 643 (not Route 231) denoted by a graveled area behind the house.

V. R. Shackelford, III, County Attorney, stated that Mr. Hastings feels the area will never be utilized; however, the requirements were reviewed and it appears that fifteen (15) spaces is the lowest number the County can accept.

V. R. Shackelford, III, County Attorney, also advised the circuit court case involving the Hastings has been put off for approximately two (2) months; which give the applicant(s) time to implement a site plan and present it before the Madison County Board of Supervisors for consideration.

Chairman, Eddie Dean indicated the Madison County Planning Commission denied the case during the recent Joint Meeting and the case was referred for discussion until tonight's Regular Meeting.

V. R. Shackelford, III, County Attorney, stated it is hoped the applicant will have a site plan implemented in time for the Joint Meeting in March 2008 and/or allow for a determination to be made in April 2008, if necessary.

Chairman, Eddie Dean asked if this case will be referred back to the Madison County Planning Commission, to which V. R. Shackelford, III, County Attorney, indicated it is hoped it will not in the event the site plan is implemented and brought before the Board in a timely manner; however, he said would converse with Rodney Lillard, Chairman of the Madison County Planning Commission.

Bob Miller asked if a written procedure for such situations was in place.

V. R. Shackelford, III, County Attorney, advised the County did have such written procedure for any changes made to applications and these cases are generally referred back to the Madison County Planning Commission (i.e. the same as a rezoning request).

Bob Miller questioned whether the aforementioned case has been approved by the Virginia Department of Transportation.

V. R. Shackelford, III, County Attorney, advised the Virginia Department of Transportation has not participated in the discussion with the exception their main concern is pertaining to parking along Route 231; he stated a basic problem is the buildings that are to be placed at the site; he advised after visiting the site and conducting measurements, there appears to be enough space to allow for the four (4) additional parking spaces and also allow for the display areas being sought.

Bob Miller asked about curbing and guttering.

V. R. Shackelford, III, County Attorney, advised this is a separate issue and the applicants (Hastings) are not prepared to move on this issue; he advised they are not making any changes to the parking that is not currently on record; however, he fees if approval was being sought on the buildings at the present time, there would be some problems.

James L. Arrington stated that comments made by the Virginia Department of Transportation pertaining to the aforementioned case basically recommendations only, to which V. R. Shackelford, III, County Attorney, advised “that is correct.”

In closing, Chairman, Eddie Dean suggested the aforementioned case be referred back to the Madison County Planning Commission after a discussion is held during the Board Workshop Session on February 28, 2008.

V. R. Shackelford, III, County Attorney, also advised there is a case on the April docket in reference to a subdivision plat approved for a location in Syria; he advised that he will provide a full overview at a later time.

IN RE: PUBLIC COMMENT

Jim O'Reilly was present to verbalize concerns about dogs running at large and expressed disappointment that only three (3) Board members were present at the last Board Workshop Session to participate in the discussion of this issue; he also made reference to having sufficient procedures in place following an attack and felt it might be advantageous if Animal Control Officers were given some education on what type of animal behavior constitutes a problem. He advised that he believes “remedies” are not the real issue and is rather disappointed that no mention was made with regard to

the possible consequences for dogs running at large and/or out of the control of their owner or other “responsible person.”

Additionally, he feels that animal owners who allow their dogs to run freely have no idea as to what their dog(s) are doing or what type of trouble they may be imposing upon other citizens in the community; therefore, he feels the main issue is with “accountability” before and “not after” the fact.”

In closing, Mr. O’Reilly stated he was disappointed that Ms. Rebecca Cromwell, Animal Control Officer, was not asked for her input and also that Sheriff, Erik Weaver was not questioned about the ninety-one (91) calls that Animal Control Officers were called on during the month of January. He also advised that he “is not” asking for a leash law as such a law requires a dog to be on a leash at all times and this is not his intent, nor of the other surrounding Counties (i.e. Orange, Culpeper) that prohibit dogs from running at large. He thanked the Madison County Board of Supervisors and Lisa Kelley, County Administrator, for their dedication in researching this issue and stated he hopes the Board will take the final step in pursuing this concern.

Bob Miller stated that he has visited the Madison County Animal Shelter and has read the logs that contain the nature of all the animal control calls in Madison County and advised that most of the calls were to report dogs being tied up without water or food and dogs running freely; however, very few reports were called in for vicious dogs running at large. In closing, he stated that any citizen can visit the facility and request to read the logs that are on file; he also advised that a majority of the calls received were very “routine.”

James O’Reilly stated that he has often thought about visiting the facility to review the logs for his own information; he found the reported information to be very interesting and also advised that in his brief conversations with the Animal Control Officer, he was informed there are severe problems with dogs running at large in Madison County – he also asked whether there was a requirement to record certain information.

Bob Miller stated that he did not feel there would be a record kept in the event a telephone conversation was held between a County citizen and the Animal

Control Officer; however, if action is required on the part of the officer, a record is prepared and kept on file.

Chairman, Eddie Dean thanked Mr. O'Reilly for attending and verbalizing his concerns.

Kelly Gentry was present and made reference to a letter addressed to her from Mr. O'Reilly with regard to her dogs demonstrating "threatening behavior on two (2) separate occasions when he and some of his family members (i.e. wife and cousins) were walking along in the neighborhood; she stated that she telephoned Mr. O'Reilly to discuss the concerns over the telephone and stated that she will take responsibility for her dogs. Furthermore, she stated Mr. O'Reilly is well within his rights as a citizen to desire a "leash law"; however, she advised that she is a very responsible dog owner but is a bit frustrated that after contacting Sheriff, Erik Weaver, she was advised that Mr. O'Reilly had filed complaints to the Sheriff's Office about her and her "menacing dogs" and that she "had ignored the situation" when previously contacted by Mr. O'Reilly.

In closing, Kelley Gentry advised that she wanted to part of a solution and not a "problem" but stated she has never had a problem with her dogs before in the community; she advised that she isn't saying Mr. O'Reilly isn't speaking the truth, although she has a problem that she and her dogs have been portrayed as "an issue" and nothing has been brought to her attention before now.

William L. Crigler asked if an Animal Control Office contacted Ms. Gentry, to which she advised that no contact has been made with the exception of the letter she received from Mr. O'Reilly.

William L. Crigler verbalized concerns as to whether there is some way in which communication could be improved between the Animal Control Officer and citizens during the initial phases of an incident.

Kelly Gentry stated that she has not been contacted by anyone and stated that her telephone number is published in the local telephone directory.

Mr. O'Reilly stated that when he to the Board of the incident(s) involving the dogs, he never mentioned Ms. Gentry's name nor did he ever give a copy of the letter to anyone and advised that he did not (and would not) send a letter to anyone with Ms. Gentry's name listed without her knowing what was taking place.

In closing, Mr. O'Reilly thanked the Board for allowing him to express his views.

Chairman, Eddie Dean then closed the floor for Public Comment.

IN RE: CASE #S-02-08-12 (DAVID & BRENDA SKELTON)

Chairman, Eddie Dean stated the Board will discuss Case #S-02-08-12, which is a request by David & Brenda Skelton for a subdivision of land, which is continued from the Joint Meeting held on Wednesday, February 6, 2008. He stated the case will involve discussion regarding a driveway being situated across a dam.

Bill Brase of Graystone Homes, Inc. was present on behalf of the applicants; he thanked the Board members for their time.

Bill Brase stated that he met with Brian Daniel, Erosion & Sedimentation Administrator, and representatives from the Culpeper Soil & Water Conservation District, regarding the aforementioned case.

Chairman, Eddie Dean asked Brian Daniel, Erosion & Sedimentation Administrator, for input on the case.

Brian Daniel, Erosion & Sedimentation Administrator, advised that he met with Greg Wilchens of the Culpeper Soil & Water Conservation District and the area in question was not a regulated dam at the pond (i.e. less than twenty-five [25'] feet in height); he stated that he has seen driveways built across dams in the past, although he did advise avoiding this practice if at all possible and there appear to be no problems as long as there is proper grading on the roadway and nothing is infiltrating into the dam; he also made reference to an emergency spillway needing to be situated at the end of the dam.

Brian Daniel, Erosion & Sedimentation Administrator, also advised that a proper permit will be needed to cross the stream; however, it appears the roadway is situated up beside the dam, but did see where any survey markers were situated at the site; however, he feels this may be an issue in the future.

William L. Crigler asked if there were in regulations in place to make sure all requirements are met.

Brian Daniel advised there are no concrete regulations in place; however, if more than 10,000 square feet is disturbed, alternate procedures will need to be implemented.

James L. Arrington asked Brian Daniel, Erosion & Sedimentation Administrator, if he has personally visited the site, to which he advised that he did, and asked if any opinion was formulated after the visit and whether there was an alternative to running the roadway in another location other than across the dam.

Brian Daniel advised that Greg Wilchens advised the most obvious route would be off of Mountain View Lane; however, this isn't allowed until the road is adopted into the state roadway system; he stated entrance could be attained from the alternate property line but a lot of adjusting will be necessary in order to avoid an additional pond.

Bob Miller asked if the original intent was to utilize Mountain View Lane to serve the lot.

Bill Brase stated this would be more feasible option; however, he was advised by Betty Grayson, Zoning Administrator, that the County's Zoning Ordinance would not allow such access to be utilized since the roadway was not adopted into the state roadway system; therefore, the existing access was denoted on the application.

Bill Brase also advised that he was unsure what Mr. Skelton planned for the site in the future but feels he is trying to protect his division rights regarding Lot #3 and divide the forty-nine (49) acres as permissible by the Madison County Zoning Ordinance. In closing, he indicated he believed the roadway in question will possibly be in the state roadway system and the primary access will be coming from Innovation Lane long before Mr. Skelton decides to do anything additional with the property (theoretically speaking). In closing, he feels the best access to the lot will be Mountain View Lane and the dam will not be an issue.

V. R. Shackelford, III, County Attorney, asked Bill Brase if he felt the applicant would be agreeable with the clause, that "in the event the house is erected on Lot #3 after Mountain View Lane is brought up to state standards and is adopted into the state roadway system, the access to Lot 3 will be over Mountain View Lane."

Bill Brase advised that he felt the aforementioned comment would be the preferred method; he also advised that he felt the applicant would be agreeable with vacating this easement when the other easement becomes useable

Lisa Kelley, County Administrator, asked tonight's suggestion raise an issue with the existing plat, to which Bill Brase advised he did not feel this would create a problem as the aforementioned statement was the intention all along.

Bill Brase also advised the Virginia Department of Transportation has signed off on the roadway construction plan which will more than likely begin during the new few months.

Bob Miller asked if a notation should be attached to Lot #3 which denotes which properties will be served by the roadway prior to development.

V. R. Shackelford, III, County Attorney, advised that he did not feel the applicant would agree to such terms as a property cannot serve a property (Mountain View Lane) until it is adopted into the state roadway system.

Bill Brase advised that he could not agree to the aforementioned request as presented.

Lisa Kelley, County Administrator, advised that it will be more expensive to build a roadway across a dam rather than enter through Mountain View Lane.

Bill Brase advised it is not the intention to build a roadway twice if not necessary; he stated he would agree to utilize Mountain View Lane once it is adopted and feels it will be quite some time before anything is done with the lot; he advised that the applicant is currently residing in Alabama and feels there are no immediate plans to do anything with the property at the immediate time.

Chairman, Eddie Dean stated this case was recommended by the Madison County Planning Commission; he then asked for comments from the audience and then from the Madison County Board of Supervisors.

James L. Arrington stated that he did not feel comfortable with the applicant's request and how this will impact the County's Subdivision Ordinance; therefore, he advised that he was not prepared to vote on this case.

Chairman, Eddie Dean asked V. R. Shackelford, III, County Attorney, if the Board needed to state reasons for declining this case.

V. R. Shackelford, III, County Attorney, advised the Board could state that the fifty-foot (50') private road (as shown on the plat) for Lot #3 must be vacated as the access road for said lot in the event that Mountain View Lane is accepted into the state roadway system as the primary access road.

William L. Crigler asked if the reason should also include the road should be abandoned before construction before Mountain View Lane is accepted, to which V. R. Shackelford, III, County Attorney, stated this clause cannot be considered.

Chairman, Eddie Dean clarified the comment to state that if in time the roadway is accepted after a house is built, would the applicant be willing to abandon and put the house on the other roadway.

V. R. Shackelford, III, County Attorney, advised that it is possible this would occur; however, the carryover would still be covered by the aforementioned statement that was suggested.

Lisa Kelley, County Administrator, advised if a house is constructed early and a roadway is erected across the dam, it will not matter whether access is granted by Mountain View Lane after that point, and feels the concept verbalized by V. R. Shackelford, III, County Attorney, will be sufficient.

Clark Powers asked where the location of the dam would be, to which Bill Brase advised will at the pond located on Lot #3 denoted on the map.

Bill Brase asked V. R. Shackelford, III, County Attorney, if the Board has the authority to make the aforementioned stipulations or should the applicant be willing to go along with the suggestions as verbalized.

V. R. Shackelford, III, County Attorney, advised the conditions can be considered as stated.

James L. Arrington asked Betty Grayson, Zoning Administrator, if she had any suggestions or comments.

Betty Grayson, Zoning Administrator, asked if the driveway could be moved closer to the stream, to which Bill Brase advised if this was done, the driveway would actually be closer to the dam.

Chairman, Eddie Dean asked if there was an existing farm road that led out to Route 640 on the right-of-way denoted on the plat.

V. R. Shackelford, III, County Attorney, stated the existing roadway goes down through the middle of the fifty-foot (50') right-of-way and turns around the shed on the south side of the pond.

Bill Brase stated he feels a lot of tonight's discussion have involved scenarios that he feels will never take place; he also advised that he was informed by the Zoning Administrator about the conditions pertaining to Mountain View Lane as it has not been accepted into the state roadway system and was directed to utilize the alternative route across the dam. In closing, he stressed it was the intention all along to utilize Mountain View Lane, but wonders if all concerns are alleviated simply by making the comment to the Board.

After discussion, on motion of Bob Miller, seconded by Clark Powers, the subdivision request is approved with the condition that access to Lot #3 shall be Mountain View Lane in the event it is accepted as a public road by the Virginia Department of Transportation, and access to Lot #3 along the fifty-foot (50') wide ingress and egress easement shall be abandoned and vacated at that time (as shown on the existing plat), with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

COMMITTEE REPORTS

Bob Miller asked for an update on Route 702 (Larkins Mill Road).

Chairman, Eddie Dean stated that Lisa Kelley, County Administrator, is in the process of negotiating with the contractors on this project, as the lowest bid exceeded

Bob Miller asked for an update on the Criglersville Elementary School survey.

Lisa Kelley, County Administrator, advised that a draft is currently being done; there have been some legal concerns that will need to be considered and discussed

with V. R. Shackelford, III, County Attorney; she advised they hoped to have a plat completed but this will take a little longer as there are issues at the site.

In closing, she stated the process is taking a little longer than the surveyor anticipated, but things appear to be going relatively well.

William L. Crigler asked about the size of the lot across the roadway, to which Lisa Kelley, County Administrator, advised the lot measures about an acre in size as the property line will be taken to the far side of the river instead of to the middle of the river.

IN RE: MINUTES

Chairman, Eddie Dean stated there are several sets of Minutes (#42, #43, #44, #45, #1, #2, #3, and #4) that will need to be adopted and requests they be adopted in groups to denote attendance of Board members.

After discussion, on motion of Bob Miller, seconded by William L. Crigler, Minutes #42, #43 and #45 were adopted as presented and spread in Minute Book #17, page 107 through page 121 (#42 and #43) and page 155 through 157 (#45), with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

After discussion, on motion of James L. Arrington, seconded by William L. Crigler, Minutes #44 were adopted as presented and spread in Minute Book #17, page 121 through page 155, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Abstain

After discussion, on motion of Bob Miller, seconded by William L. Crigler, Minutes #45 were adopted as presented and spread in Minute Book #17, page 155 to page 157, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye

William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

After discussion, on motion of William L. Crigler, seconded by James L. Arrington, Minutes #1 were adopted as presented and spread in Minute Book #17, page 157 through 163, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Abstain
Clark Powers	Aye

After discussion, on motion of James L. Arrington, seconded by William L. Crigler, Minutes #2, #3, and #4 were adopted as presented and spread in Minute Book #17, page 164 through page 195, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

After discussion, on motion of William L. Crigler, seconded by Bob Miller, Minutes #5 were adopted as presented and spread in Minute Book #17, page 195 through page 197, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Abstain
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Abstain

After discussion, on motion of Clark Powers, seconded by James L. Arrington, Minutes #6 were adopted as presented and spread in Minute Book #17, page 198 through page 199, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

Chairman, Eddie Dean then called for a three (3) minute recess and advised the floor will be opened for Public Comment upon reconvening.

Chairman, Eddie Dean called the meeting back to order.

IN RE: PUBLIC COMMENT

Bill Brase was present and advised that several Counties delegate the Zoning Administrator the authority to approve by-rights divisions and easements and stated if this was authorized in Madison County, it would alleviate a lot of tension and confusion during the meeting process.

Chairman, Eddie Dean stated the aforementioned issue has been discussed several times and feels this may be a direction in which Madison County may head in the near future.

Lisa Kelley, County Administrator, advised that Item #11 could be deleted from the Agenda as there will be no representative from the Madison County School Board to attend the evening session, as per Liz Patterson, Secretary to the Superintendent.

Chairman, Eddie Dean recessed the meeting until 7:30 p.m.

7:30 P.M.: Meeting reconvened with Chairman, Eddie Dean calling the meeting to order and noted that all Board members are present.

Chairman, Eddie Dean advised that no one would be present at the evening session on behalf of the Madison County School Board to make any type of presentation on their proposed 2008-2009 FY budget.

IN RE: PUBLIC COMMENT

Barbara Breeding was present and commented on the original budget and the effects of retired citizens residing in Madison County; she comments that personal property taxes for her family have increased sixty-three percent (63%) and based on the original proposed budget, taxes might increase up to seventy percent (70%) and stated “this is hurting us.” She advised that she and her family love Madison County and desire to remain here; however, land tax increases that don’t reflect the national real estate recession make it very hard; she further suggested that it might be wise to increase taxes only enough to maintain the general status quo (i.e. compensate for decrease in state funding and rising costs of fuel, utilities, insurance premiums, etc.) and also stated comments pertaining salaries made in other school districts doesn’t take into account the state cutbacks, depressed land values and inflation on other school districts. In closing,

she stressed that local citizens on fixed income are struggling as a result of the significant increase in property taxes.

Ray Goodall asked if the Board knew when a representative from the Madison County School Board would be attending at another time, to which Chairman, Eddie Dean advised he did not know.

David Henken was present and stated he felt the proposal the Madison School Board is one of good faith and feels it will demonstrate an advocacy of what they are trying to do; he also feels this budget is being approved by members of the Madison County School Board in an effort to portray the positive things they are trying to do; he stated he feels the members are well aware of the fact the full funding request will not be approved, as this process takes place every year; however, they will aim high and are fully aware they will only get a percentage of the full request being presented.

Additionally, he refuted a comment published in a recent issue of the Madison Eagle which stated that school personnel were “out for blood” and stated the staff are trying to do their very best to educate the students of Madison County; he also asked if the survey has been completed on the Criglersville Elementary School.

Bob Miller advised that a report was provided by Lisa Kelley, County Administrator, that a small snafu has been encountered with the process and completion of the survey will take a little longer than originally anticipated.

Chairman, Eddie Dean commented on the statement verbalized about personal property taxes; he explained in the year 2005, the Board adopted a real estate rate of .59 cents; a mobile home rate of .59 cents; tangible personal property rate of \$2.14; machinery/tools rate of \$1.10; and a merchant’s capital rate of .86 cents (all per \$100 assessed value) – he stated the rate remained the same in 2006 so, there was no increase in taxes in Madison County; additionally, he advised the rate remained the same in 2007 with no increase noted; however, he advised that if a citizen purchased a new automobile, new real estate or improvements to existing property, the tax obligation may well have increased; however, the tax rate established by the Madison County Board of Supervisors has remained constant for the past three (3) years.

Barbara Breeding advised there have been no improvements to her personal property since 2004 and their personal taxes have increased sixty-three (63%).

Chairman, Eddie Dean suggested Ms. Breeding fax, email or present a copy of the documentation to Lisa Kelley, County Administrator, and the Board will investigate as it appears an error has been made in the calculation.

In closing, Chairman, Eddie Dean stated the Board has worked very hard during the past three (3) years to maintain the personal property tax rate; he stated if a mistake has been made, the County will issue a reimbursement.

Chairman, Eddie Dean thanked Ms. Breeding for bringing this issue to the attention of the Board.

Bob Miller stated he has been in the Commissioner of the Revenue Office pulling charts and performing an analysis on the County's tax rate over the past several years and trying to determine the effects.

A local citizen was present and asked if the Board had any idea when the Madison County School Board would be present to provide an overview of their proposed budget.

Chairman, Eddie Dean explained the advertising schedule for the 2008-2009 budget and stated if a representative does not attend to defend the document, the Madison County Board of Supervisors will have to review the information and finalize/adopt the document by June 2008; however, he explained the advertising process guidelines as mandated.

In closing, Chairman, Eddie Dean advised that Madison County Board of Supervisors have met with individual members of the Madison County School Board to discuss budgetary issues during the initial draft; however, the amended copy was received by the Madison County Board of Supervisors today which changes the total amount of requested funding by a little over \$300,000.00 – as denoted by changing the salary increase from seven percent (7%) to five percent (5%); the elimination of the purchase of one (1) bus; along with the elimination of one (1) staffing position and other minor changes. In lieu of the time involved, the members of the Madison County Board of Supervisors have not had an opportunity to study the amended document as provided for tonight's meeting.

IN RE: MADISON VOLUNTEER RESCUE SQUAD

William L. Crigler provided the following report for January 2008:

48 patient emergencies

1 assist to EMS

1 standby for fire

2 mutual aide calls

52 total calls

With no further action being required by the Board, on motion of Bob Miller, seconded by James L. Arrington, Chairman, Eddie Dean adjourned the meeting, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

Date: February 13, 2008